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Teri Rennia, City Council President
Angela Holmes, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT
MEETING MINUTES
DPW Conference Room, 3rd Floor City Hall
Wednesday April 23, 2014

Call to Order. Called to order at 11:10am by Richard C. David, Mayor.

Present: Richard C. David, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

Absent: None

Also Present: Joel Boyd, Assistant Director of Economic Development; Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller; Tito Martinez, Planner; Jennifer Taylor, Acting Director of Planning, Housing and Community Development

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank will discuss the details of the permanent easement with Mr. Pope. Item held.

8 Meadow Street. Offer to Purchase 8 Meadow Street for \$100, submitted by Tonya Dakari on December 23, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on January 2, 2014. Steve Quinn responded on January 3, 2014, stating that this property is one of several properties that the First Ward Action Council is scheduled to purchase and develop under the City's Restore NY grant application and NYS Tax Credit application. Scott Snyder responded on January 3, 2014, confirming that the property is listed as a Restore NY property. Mayor David met with Jerry Willard from First Ward Action Council, who indicated that they are still slated to receive funding for the development of the property. First Ward Action Council should know the outcome within the next few months. Item held pending confirmation of funding for First Ward Action Council.

142 State Street. Offer to Purchase a portion of 142 State Street for \$2,500, submitted by 25 Chenango Street Associates, LLC on April 1, 2014. The application indicates that 142 State Street is composed of the State Street parking ramp and the area commonly referred to as "Commercial Alley". The applicant proposes to purchase a portion of Commercial Alley in order to construct a fire escape off the back of 25 Chenango Street. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on April 1, 2014. Scott Snyder responded on April 1, 2014, stating that the offer is low, and estimates the value of the area in question to be \$4,000 - \$4,500. Tom Costello responded on April 14, 2014, stating that Code supports the offer as the proposed use will support life safety design features of the building under redevelopment, and



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encourages a reasonable negotiated price. Leigh McCullen responded on April 14, 2014, stating the offer to purchase does not sufficiently address the impacts to public access. Given that this portion of the alley is intended for two-way traffic this area is needed to allow cars to pass. The area proposed could be limited to that which is only necessary to building the stairs, but without further clarification, PHCD is not in a position to provide a recommendation. Joel Boyd, Tito Martinez and Jennifer Taylor attended the meeting on April 23, 2014. The Board generally agreed to support the sale with the following conditions: (1) implement deed restrictions to ensure public access is maintained and to limit the use solely to the construction of a staircase; (2) the applicant must obtain an official survey; (3) the area in question must be squared off; and (4) the sales price must be consistent with the price range identified by the City Assessor. Board members requested Angela Holmes to invite the applicant to an upcoming meeting to discuss these matters further. Item held.

Approval of Minutes. Motion to approve the minutes from the Board of Estimate and Apportionment meetings held on April 16, 2014.

Moved by Holmes, seconded by Krey.

Motion carried. (Vote 5-0)

Ayes: David, Pearsall, Holmes, Krey, Frank

Nays: None

Adjournment. Motion to adjourn at 11:20am.

Moved by Holmes, seconded by Krey.

Voice vote, none opposed.